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ATTORNEY DOCKET NO.  
064747.1015  
(PD 04E043)

PATENT  
10/826,959

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: James D. Ballew et al.  
Serial No.: 10/826,959  
Filing Date: April 15, 2004  
Title: *System and Method for Detecting and Managing  
HPC Node Failure*

**Mail Stop: Petitions**  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

"EXPRESS MAIL"  
Express Mailing Label EV 473952167 US

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

*Willie Jiles*  
Willie Jiles

Date: November 19, 2004

**Amendment and Petition for Correction of Inventorship  
in a Patent Application Under 37 C.F.R. § 1.48**

Applicants submit this Amendment and Petition pursuant to 37 C.F.R. § 1.48 to correct the original naming of inventors. Applicants respectfully request that the application be amended to state the true inventive entity. Please delete the following, previously named person as joint inventor of the above-identified patent application:

11/22/2004 MGBREM1 00000077 10826959

01 FC:1460

130.00 OP

Gary R. Early  
506 Newberry Drive  
Allen, Texas 75013  
Collin County  
Citizenship: United States of America

Enclosed herewith is:

1. Consent of Assignee for Correction of Inventorship Under 37 C.F.R. § 1.48(a);
2. A check in the amount of \$130.00 as required by 37 C.F.R. § 1.17(i);
3. Statement from Person Being Deleted as an Inventor Under 37 C.F.R. § 1.48(a) signed by inventor, Gary R. Early, who through error was named as an inventor, that the error arose without any deceptive intention on the part of Mr. Early;
4. Assignment from James D. Ballew and Shannon V. Davidson to Raytheon Company;
5. Assignment Cover Sheet;
6. A check in the amount of \$40.00 to cover the Assignment recordal fee as required by 37 C.F.R. § 1.21(h);
7. Request for Recordation of Assignment; and
8. Declaration and Power of Attorney signed by James D. Ballew and Shannon V. Davidson as required by 37 C.F.R. § 1.63.

Applicants believe that no other fees are due; however, if any additional fees are required, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,  
BAKER BOTTS L.L.P.  
Attorneys for Applicants



Travis W. Thomas  
Reg. No. 48,667

Date: November 19, 2004

Correspondence Address:

**Customer Number                      05073**



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P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

**Statement from Person being Deleted as Inventor**  
**Under 37 C.F.R. § 1.48(a)**

I, Gary R. Early, declare and state the following:

1. I have reviewed and understand the contents of the above-identified patent application, drawings, and claims. I submit this statement in support of the Petition for Correction of Inventorship in a Patent Application Under 37 C.F.R. § 1.48.
2. My name should be omitted from the above-identified application for a patent and this error was without deceptive intent on my part.

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Executed this 26 day of October, 2004, at Galveston, Texas,

U.S.A.

Full name of the  
deleted Inventor:

Gary R. Early

Inventor's Signature:

Gary R. Early  
10/26/2004

Date:

Residence (City, County, State)

Allen, Collin County, Texas

Citizenship

United States of America

Post Office Address

506 Newberry Drive  
Allen, Texas 75013

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Dear Sir:

**Consent of Assignee for Correction of Inventorship**

**Under 37 C.F.R. § 1.48(a)**

I, John J. Snyder, Patent Counsel of Raytheon Company, represent that Raytheon Company, having a place of business at 870 Winter Street, Waltham, Massachusetts, 02451-1449, is the assignee and the exclusive owner of the entire right, title, and interest of, in, and to U.S. Application Serial No. 10/826,959, filed April 15, 2004, for SYSTEM AND METHOD FOR DETECTING AND MANAGING NODE FAILURE, as evidenced by the copies of the Assignments attached hereto; that I am empowered to act on behalf of Raytheon Company, and that I have reviewed the evidentiary documentation and certify that, to the best of assignee's knowledge and belief, title is in the assignee seeking to take this action.

Raytheon Company hereby consents to the correction of inventorship filed herewith.

The above stated facts are true to the extent based on my personal knowledge and are otherwise believed to be true. These statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under

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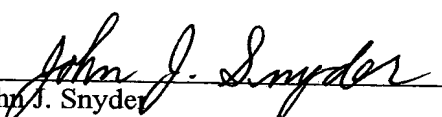
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Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Executed this 15<sup>th</sup> day of November, 2004, at Dallas, TX, U.S.A.

Date: 11/15/04

  
John J. Snyder  
Patent Counsel  
Raytheon Company